



Government of **Western Australia**
Department of **Transport**

Empowering a
thriving *community*

FREEDOM OF INFORMATION

Information Statement

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FREEDOM OF INFORMATION

Information Statement

1. Overview

The transport function is integral to business and commerce and important for social interaction and connecting communities.

Our key focus is on operational transport functions and strategic transport planning and policy across the range of public and commercial transport systems that service Western Australia. With more than 1000 employees, we have the expertise to deliver and connect a complex, inter-related economic and social network. The Department of Transport organisational structure can be found at the following link [Transport Organisational Structure](#)

We connect people with goods and services through an intricate system of roads, railways, airports, ports, paths and waterways, and educate and regulate to keep them safe within those networks. We co-ordinate and prioritise the transport related infrastructure that allows our economy to grow.

More information can be found on the services to the public and publications available outside of the FOI process by the [Department of Transport](#) on the agency website.

The Department of Transport invites members of the public to make submissions and participate in the formulation of the agency's policies and functions via targeted communication vehicles such as local and community newspapers, Government Gazettes, offices of local government, head office and regional offices of the Department, mailbox delivery, personal briefings, specific community and industry group consultation sessions and targeted publications and reports.

The Department of Transport is committed to an accessible, fair and equitable complaints handling process where we work together with our customers to drive business decisions and improvements. We will partner, collaborate and listen to our customers and stakeholders to ensure our transport planning and services meet the changing needs of the State. You can submit any compliments/feedback/complaints at the following link [Feedback and complaints](#)

2. Types of Non-Public Information Held by Department of Transport

- Operations information
- Administrative information
- Staff information
- Contract information

Thinking outside the box: One of the most effective things agencies can do to achieve the objects of the FOI Act is to disclose information outside the FOI process unless there is a good reason not to do so. This can be done by proactively publishing information, or by providing requested information without the need for a formal FOI Application (excerpt from [OIC website](#)).

There are a number of services and information available outside the freedom of information process using DoTDirect which can be found here [DoTDirect](#)

The Department of Transport also offers a number of documents for public access outside the freedom of information process including:

- Access to Annual Reports are available here [DoT Annual Reports](#)
- Documents relating to the METRONET projects are available here [Metronet projects](#)
- Documents relating to Aviation can be found here [DoT Aviation](#)
- Documents relating to Freights and Ports can be found here [DoT Freight/Ports](#)
- Documents relating to the Westport Project are available here [Westport project](#)
- Documents relating to the Your Move Project are available here [Your Move: More Ways to Get There - Department of Transport](#)

Other documents not available publicly can be requested through the Freedom of Information process.

While the FOI Act provides a general right of access to documents it also recognises that some documents require a level of protection and these documents must meet specific exemption criteria in Schedule 1 of the Act; [Exemption Clauses - Schedule 1 to the FOI Act](#)

3. Procedures for obtaining access to documents not publicly available

The *Freedom of Information Act 1992 (the FOI Act)*, which came into effect on 1 November 1993, created a general right of access to documents held by State and Local government agencies.

Members of the public may submit formal FOI applications for documents held by the agency which are not publicly available. Under the provisions of section 12 of the FOI Act access applications have to -

- Be in writing; and
- Give enough information to enable the requested documents to be identified; and
- Give an Australian address to which notices can be sent; and
- Give any other information or details required under the regulations; and
- Be lodged at an office of the agency with any application fee payable under the regulations

The preferred method is to complete an FOI application form which is available on the Department of Transport’s website. Further information about the FOI process can be found at the following link [DoT Freedom of Information](#)

The address for the Department of Transport Coordinator Freedom of Information is:

Postal: Coordinator FOI	Via Email: FOI@Transport.wa.gov.au	In Person: Coordinator FOI
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Department of Transport GPO Box C102 Perth WA 6839		Department of Transport 140 William Street Perth (entry through ground floor 140 William Street. Report to Level 2 Reception)
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4. Processing FOI Applications

The FOI team is the initial contact point for members of the public, applicants, third parties, the Office of the Information Commissioner and other public sector agencies for all FOI-related matters.

Applications will be acknowledged in writing, and you will be notified of the decision within 45 calendar days.

The FOI Act provides a 45-calendar day timeframe to complete a valid application. This timeframe may be extended by agreement between the Department of Transport and the applicant. If the application is extensive, complex or involves a large number of documents, the Department of Transport may need to contact the applicant to discuss the application and possibly reduce the ambit of the application or negotiate the timeframe.

5. Notice of Decision

As soon as possible, but in any case, within 45 days you will be provided with a notice of decision which will include details such as:

- the date the decision was made;
- the name and designation of the officer who made the decision;
- if access is refused, the reasons for claiming the document is exempt; and
- information on the rights of review and the procedures to be followed to exercise those rights.

6. Access Arrangements

Access to documents can be granted by way of releasing a copy of a document; a copy of audio; or a transcript of a recorded, shorthand or encoded document from which words can be reproduced or by way of inspection.

7. FOI Fees and Charges

Processing an application and documents may incur a charge, which is in addition to the application fee. Amounts able to be charged are contained within the *Freedom of Information Regulations 1993* (FOI Regulations) and the Notice of Decision will detail these, if applicable.

Personal information about applicant	No fee or charges
Application fee (for non-personal information)	\$30.00
Charge for time taken dealing with the	\$30.00 per hour

Charge for access time supervised by staff	\$30.00 per hour
Charges for photocopying	\$30.00 per hour for staff time and 20 cents per copy
Preparing a copy of a tape, film or computerised information, or arranging delivery, packaging and postage of	Actual cost

Deposits

If charges are likely to exceed \$25.00, the Department of Transport will provide you with an estimate of charges and ask whether you wish to proceed with the application. An advance deposit of 25% may be required in respect of the estimated charges.

There may be a possible 25% reduction of any processing/additional charges for financially disadvantaged applicants or those in receipt of Health Benefits. The 25% reduction **DOES NOT** apply to the application fee.

8. Amendment of Personal information held by the agency

The right to amend personal information in a document held by the Department of Transport exists to ensure that personal information which may be used by the Department does not unfairly harm the person referred to, does not misrepresent the facts or does not give a misleading impression.

Applicants must provide details and if necessary, documentation in support of their claim that the information they seek to have amended is inaccurate, out of date or misleading. In addition, applicants must indicate how they wish the amendment to be made within the options set out in the Act, namely:

- altering information
- striking out or deleting information
- inserting information; or
- inserting a note in relation to information.

On reaching a decision the agency will, within 30 days of receipt, give the applicant a written notice of its decision. Where the decision is made to amend information, the notice will give details of the amendment and where practicable, will include a copy of the amended document.

Requests for amendment of personal information held by the Department of Transport can be made to the Coordinator FOI as above.

9. Rights of Review

Internal Review

The FOI Act provides that should applicants be dissatisfied with a decision of the Department, there is a process whereby that decision can be reviewed. In accordance with Section 40 of the *FOI Act*, internal review applications should be forwarded in writing to the Department within 30 calendar days of the date of decision.

There is no lodgement fee for an internal review, and there are no charges for dealing with an internal review request.

An Internal Review will not be completed by the same person that made the initial decision or by any person subordinate to the initial decision maker.

Your appeal will be considered by the Internal Review Officer, and you will be notified of the internal review decision within 15 days.

External Review

Following an internal review, matters remaining in dispute can be submitted to the Office of the Information Commissioner for external review. Such applications must be submitted within 60 days from the date of the internal review decision.

Appeals to the Office of the Information Commissioner must:

- be made in writing and include an address in Australia to which notices may be sent;
- detail the part (or parts) of the decision you want the Information Commissioner to review; and
- should also provide a copy of the Notice of Decision sent to you by the Department following the internal review.

If you are a third party who objects to disclosure of your information, you must apply for external review within 30 days after being given the agencies decision.

There is no lodgement fee for an external review with the Office of the Information Commissioner.

Details for contacting the office are:

Office of the Information Commissioner
Albert Facey House
469 Wellington Street
PERTH WA 6000

Telephone: (08) 6551 7888
Country Callers: 1800 621 244 (from WA Country only)
Email: info@foi.wa.gov.au

Website: <https://www.oic.wa.gov.au/en-au/>

Appeal to the Supreme Court

An appeal lies to the Supreme Court on any question of law arising out of a decision of the Commissioner. That is, an appeal to the Supreme Court is not a further full merits review. There is no appeal to the Supreme Court in relation to decisions on a deferral of access, imposition of charges, or payment of a deposit. The Rules of the Supreme Court stipulate the time within which an appeal can be lodged.

This Information Statement was amended and is correct as at May 2024